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**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

PORFORIO MORENO MUNOZ )

Petitioner, )

vs. )

UNITED STATES OF AMERICA )

Respondent. )

No. CR-F-02-5422 REC

**STIPULATION AND  
ORDER REGARDING  
BRIEFING SCHEDULE**

\_\_\_\_\_The petitioner has collaterally attacked his conviction for 8 USC § 1326 on the basis that he is a United States citizen. On February 9, 2005, the parties stipulated that the petitioner would submit his application for naturalization (Form N-600) to The Bureau of Citizenship and Immigration Services of the Department of Homeland Security. Once the application was adjudicated, the respondent would file a response to the petitioner's supplemental brief on April 29, 2005. The petitioner did not give his application to government counsel until April 19, 2005. The application was forwarded to the appropriate immigration officials for review, on April 21, 2005, however, it will not be completed in time for the respondent to file a response by April 29, 2005.

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1 Accordingly, the parties have stipulated that the respondent's deadline to respond the petitioner's  
2 supplemental brief will be **July 1, 2005**. It is anticipated that this will be ample time for the  
3 application for naturalization to be adjudicated and for the respondent to submit a reply brief.  
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5 Respectfully Submitted,  
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7 Dated : April 28, 2005

/s/ Marianne Pansa  
McGREGOR W. SCOTT  
United States Attorney  
by: MARIANNE A. PANSA  
Assistant United States Attorney

10 Attorney for the Respondents

11 Dated : April 28 , 2005

/s/ Carolyn Phillips (consent given to sign)  
CAROLYN D. PHILLIPS  
Attorney at Law  
Attorney for Petitioner Moreno-Munoz

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18 IT IS SO ORDERED.  
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22 Dated : \_\_\_\_April 29, 2005\_\_

\_\_\_\_/s/ ROBERT E. COYLE\_\_\_\_\_  
Honorable Robert E. Coyle  
Senior United States District Judge